



BellSouth Telecommunications, Inc.
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REC'D TN
REGULATORY AUTH.

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November 29, 2001

EXECUTIVE SECRETARY

Guy M. Hicks
General Counsel

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VIA HAND DELIVERY

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.*

Complaint of Access Integrated Networks, Inc. Against BellSouth Telecommunications, Inc.

Docket No. 01-00868

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Response to Motion for Continuance of Hearing. Copies of the enclosed are being provided to counsel of record.

Very truly yours,

Guy M. Hicks

GMH:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.*

Complaint of Access Integrated Networks, Inc. Against BellSouth Telecommunications, Inc.

Docket No. 01-00868

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
RESPONSE TO MOTION FOR CONTINUANCE OF HEARING**

By Order dated November 6, 2001, the Hearing Officer set the hearing in this docket for December 3, 2001. After having failed to file any testimony in support of the Complaints at issue in this docket, Access Integrated Network, Inc. ("AIN"), XO Tennessee, Inc. ("XO"), and ITC^DeltaCom ("DeltaCom") have now filed a Motion for Continuance of Hearing. Given that no parties have filed direct testimony, BellSouth Telecommunications, Inc. ("BST") respectfully submits that it is neither necessary nor appropriate to conduct a hearing in this matter.

To the extent that the Hearing Officer disagrees, however, BST is prepared to go forward with a hearing on December 3, 2001 -- the date that was set nearly three weeks ago. Moreover, the Complainants should not be permitted to file Complaints, conduct discovery, deliberately refuse to pre-file testimony in support of their own allegations, and then seek to move the hearing date so that they can

file testimony that should already have been filed or possibly even change the nature of their allegations in this docket. BellSouth, therefore, submits that the hearing should not be continued.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

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CERTIFICATE OF SERVICE

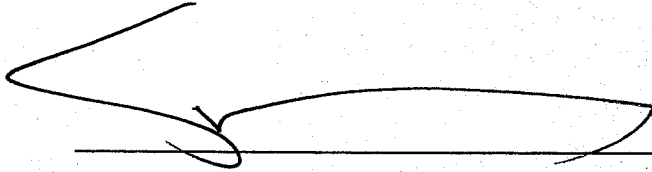
I hereby certify that on November 29, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Chris Allen, Esquire
Office of Tennessee Attorney General
P. O. Box 20207
Nashville, Tennessee 37202

A handwritten signature in black ink, appearing to read "Chris Allen", is written over a horizontal line.